

# Sage Legal LLC

18211 Jamaica Avenue • Jamaica, NY 11423-2327 • (718) 412-2421 • [emanuel@sagelegal.nyc](mailto:emanuel@sagelegal.nyc)

---

February 9, 2026

**VIA ECF**

United States District Court  
Eastern District of New York  
Attn: Hon. Peggy Kuo, U.S.M.J.  
225 Cadman Plaza East  
Courtroom 11C South  
Brooklyn, NY 11201-1804

**Re: Trustees v. Spray in Place Solutions LLC, et ano.**  
**Case No.: 1:24-cv-2568 (KAM) (PK)**

Dear Judge Kuo:

This office represents the Defendants in the above referenced case. Defendants write jointly with Plaintiffs to provide the instant joint status report pursuant to this Court's Order dated January 26, 2026.

The final requirement of the parties' Stipulation for the Production of Audit Documents was met, in that payment of the undisputed amounts owed to Plaintiffs was made and confirmed received by the Plaintiffs on February 2, 2026.

In addition, the parties continue to engage in settlement discussions related to the remaining disputed amounts owed.

Specifically, the parties have discussed what documentation the Plaintiff Funds would need to determine whether certain hours claimed as covered work were not performed within the territory covered by the collective bargaining agreement ("CBA") and further discussed how to elucidate what hours worked consist of "shop hours" and what documentation would be required for the Funds to evaluate whether said "shop hours" consisted of "covered work" under the CBA.

Once Plaintiffs receive this documentation from the Defendants, Plaintiffs should be in a position to evaluate whether the audit findings can be reduced in any way and this will aid the parties in working towards a mutually-agreed upon resolution of this case. Moreover, the parties are engaged in formal discovery and are preparing to conduct a deposition of at least one employee who allegedly performed covered work.

The parties further respectfully report that they are still ascertaining whether a referral to EDNY Court-Annexed mediation would be fruitful at this time.

The parties thank this honorable Court for its time and attention to this case.

Dated: Jamaica, New York  
February 9, 2026

Respectfully submitted,  
**SAGE LEGAL LLC**  
/s/ Emanuel Kataev, Esq.  
Emanuel Kataev, Esq.  
18211 Jamaica Avenue  
Jamaica, NY 11423-2327  
(718) 412-2421 (office)  
(917) 807-7819 (cellular)  
(718) 489-4155 (facsimile)  
emanuel@sagelegal.nyc

*Attorneys for Defendants*

**O'DONOGHUE & O'DONOGHUE LLP**

/s/ Rebecca W. Richardson  
Rebecca W. Richardson  
5301 Wisconsin Ave. NW, Suite 800  
Washington, DC 20015  
(202) 274-2439  
rrichardson@odonoghuelaw.com

*Attorneys for Plaintiffs*

**VIA ECF**  
All counsel of record